

are going to be denied the ability to do so.

When I came to this floor in April, when this bill was pending on the Senate floor before, I said then and I firmly believe it now: If the majority leader believes this is an important issue, then we should have a real debate and an open amendment process and not engage in a political charade. I think the American people deserve better.

In New Hampshire, Republicans and Democrats actually got together and they were able to pass a bipartisan pay equity law which was signed into law in July. It is a commonsense measure that helps address wage disparities between men and women, and that law was the basis for the proposed amendment which I have just tried to offer on the Senate floor so that the Senate could consider some of the very good ideas that were worked through on a bipartisan basis in my State as a way to address discrimination in the workforce.

This amendment that I have filed—but that I am not being permitted to offer—is modeled on New Hampshire's law and, again, it was bipartisan. In fact, the amendment that I have offered is called the Ensuring Fairness in Pay Act. It would make clear that employers have to pay men and women equal wages for equal work. It ensures equal pay for workers performing equal work under similar conditions regardless of sex. In fact, it also prohibits retaliation against employees who discuss their pay information and prohibits employers from requiring employees to sign a contract or a waiver that prohibits the employees from disclosing their pay. This would allow employees to know what their situation is so they can ensure that they are being treated fairly.

What was passed in New Hampshire—my amendment here—also contains teeth. In fact, similar to New Hampshire's law, my amendment would impose a \$2,500 penalty for any violation of this law and for pay discrimination. So putting teeth in it is important as well. We did that at the State level, and I thought we should consider doing this at the Federal level if my amendment could be considered by this body.

It also requires employers to post a notice that sets forth excerpts or summaries of the pertinent provisions of what is the law—title VII of the Civil Rights Act of 1964—and information pertinent to how you file a complaint if you feel you are subject to discrimination in the workforce.

Finally, my amendment encourages States to provide pay disparity statistics including historical analysis and any information that would help the public understand and address this issue.

I urge the majority leader to put politics aside so that we can work together on a bipartisan solution, just as New Hampshire was able to do. In my home State of New Hampshire, when there is an amendment offered, you ac-

tually will get a vote on it. I think we are doing a real disservice to the American people, regardless of what the issue is, that Senators on both sides of the aisle when they are offering an amendment aren't permitted to have a vote on it on the Senate floor.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. REID. I ask unanimous consent that it be in order to proceed to the Baran and Burns nominations reported out of the Environment and Public Works Committee earlier today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF JEFFERY MARTIN BARAN TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION

Mr. REID. Madam President, I move to proceed to executive session to consider Calendar No. 1003.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30, 2015.

CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk I ask to be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission.

Harry Reid, Barbara Boxer, Benjamin L. Cardin, Barbara A. Mikulski, Richard J. Durbin, Mazie Hirono, Robert P. Casey, Jr., Christopher A. Coons, Sheldon Whitehouse, Tom Udall, Edward J. Markey, Sherrod Brown, Tim Kaine, Bernard Sanders, Jeff Merkley, Cory A. Booker, Thomas R. Carper.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. I ask unanimous consent that the Senate proceed to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF STEPHEN G. BURNS TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION

Mr. REID. I now move to proceed to executive session to consider Calendar No. 1004.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Stephen G. Burns, of Maryland, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2019.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Stephen G. Burns, of Maryland, to be a Member of the Nuclear Regulatory Commission.

Harry Reid, Barbara Boxer, Benjamin L. Cardin, Barbara A. Mikulski, Richard J. Durbin, Mazie K. Hirono, Robert P. Casey, Jr., Christopher A. Coons, Sheldon Whitehouse, Tom Udall, Edward J. Markey, Sherrod Brown, Tim Kaine, Bernard Sanders, Jeff Merkley, Cory A. Booker, Thomas R. Carper.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

UNANIMOUS CONSENT AGREEMENT—S. 2199

Mr. REID. I ask unanimous consent that not withstanding rule XXII, the cloture vote with respect to S. 2199 occur at 5:30 p.m. Monday, September 15, 2014.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that on Monday, September 15, 2014,